

**PORTSMOUTH TOWN COUNCIL MEETING
JULY 11, 2016
AGENDA**

7:00 PM - TOWN COUNCIL CHAMBERS, TOWN HALL, 2200 EAST MAIN ROAD

PLEDGE OF ALLEGIANCE

SITTING AS THE PORTSMOUTH TOWN COUNCIL

CONSENT AGENDA

1. CRMC - PUBLIC NOTICE:

The Application of Russell Sousa, 355 Riverside Street, Portsmouth, RI for a State of Rhode Island Assent to Expand an Existing 1.37 Acre Cage Aquaculture Lease by an Additional 1.37 Acres while Continuing to Use Cages on Trawls. The Project is Located in The Cove of Island Park and Hummocks

Documents: [CRMC Sousa.pdf](#)

2. CRMC - PUBLIC NOTICE:

The Application of Chessawanock Island Oyster Co., c/o Kyle Hess, 400 Station Street, Cranston, RI for a State of Rhode Island Assent to Expand an Existing Three Acre Aquaculture Lease Site in Hog Island Cove by Two Acres. The Gear Proposed Included Floating Bags and Flip Bags.

Documents: [CRMC Chessawanock Island Oyster Co.pdf](#)

PRESIDENT'S EXECUTIVE SUMMARY

MINUTES

TCM 6/20/16

TCM 6/27/16

Documents: [M 6-20-16 Draft.pdf](#), [M 6-27-16 Draft.pdf](#)

BILLS

Documents: [Bill List.pdf](#)

TOWN ADMINISTRATOR'S REPORT

1. Report on Lean Business Permitting
2. Building Inspector Update
3. Comprehensive Community Plan Update

RESIGNATIONS AND APPOINTMENTS

1. Resignations:

- a. Dog Park Planning Committee - M. Minese

Documents: [M Minese.pdf](#)

2. Appointments:

- a. Economic Development Committee (4 Vacancies, 2 Applicants)

Documents: [J Perry.pdf](#), [J Coll.pdf](#)

OLD BUSINESS

1. Dog Park Update. / R. Rainer, B. Miller & J. Sweeney (10)
Documents: [Dog Park Update.pdf](#)
2. PUBLIC HEARING: Proposed Amendment To Chapter 257 Of The Portsmouth Town Code - Noise Ordinance §257-18 Sound Variances, Section C. / K. Gavin
Documents: [Proposed Noise Ordinance Amendment.pdf](#), [257-18 Sound Variances.pdf](#)
 - a. Objection To The Proposed Amendment To The Noise Ordinance. / Mr. & Mrs. Tarney Waring
Documents: [Objection To Proposed Amendment.pdf](#)
3. Request Approval Of A Resolution Authorizing The Wording Of Two Questions To Appear On The Ballot For The November 2016 General Election. / K. Gavin (5)
Documents: [Resolution For Referendum Questions Rev.pdf](#)
 - a. New Police Station Bonds And/Or Notes Not To Exceed \$10,000,000.
 - b. Amendment To The Portsmouth Home Rule Charter Town Clerk. "Shall The Town Clerk Be An Appointed Position?" (Amends Art. V, Sec. 501)
4. Review Of Draft Advisory Opinion From The Town Council To The Energy Facility Siting Board Concerning The Aquidneck Island Reliability Project. / K. Gavin (5)
Documents: [Advisory Opinion - Draft.pdf](#)

NEW BUSINESS

1. Request Authorization To Pay Bills In Accordance With The Regular Agenda Deadline. / J. Lathrop (5)
Documents: [Pay Bills.pdf](#)

CORRESPONDENCE

1. Thank You Card For Being Recognized As 2016 Portsmouth Business Of The Year. / Linda And Bill Bohmbach, Home Healthsmith
Documents: [Thank You Card - Bohmbach.pdf](#)
2. Thank You Card For Flowers. / Lee Ann Ferreira
Documents: [Thank You Card - Ferreira.pdf](#)

FUTURE MEETINGS

July 30 11:00 AM - Town Council Meeting - Prudence Island (Saturday)
August 22 7:00PM - Town Council Meeting

EXECUTIVE SESSION

1. RIGL 42-46-5(a)(5) - Any discussions or considerations related to the acquisition or lease of real property for public purposes, or of the disposition of publicly held property wherein advanced public information would be detrimental to the interest of the public.

ADJOURN

RETURN TO OPEN SESSION

OPEN SESSION

ADJOURN

The public is welcome to any meeting of the Town's boards or its committees. If communication assistance (readers/interpreters/captions) is needed or any other accommodation to ensure equal participation, please contact the Town Clerk's Office at 683-2101 at least (3) business days prior to the meeting.

POSTED 7/5/16



Oliver Stedman Government Center
4808 Tower Hill Road; Suite 116
Wakefield, RI 02879
401-783-3370

RECEIVED
PORTSMOUTH, R.I.
2016 JUN 27 A 11: 14
JOANNE M. MOWER
TOWN CLERK

PUBLIC NOTICE

File Number: 2016-06-046 Date: June 20, 2016

This office has under consideration the application of:

Russell Sousa
355 Riverside Street
Portsmouth, RI 02871

for a State of Rhode Island Assent to: expand an existing 1.37 acre cage aquaculture lease by an additional 1.37 acres while continuing to use cages on trawls. A complete application can be send electronically upon request to the CRMC Aquaculture Coordinator.

Project Location:	"The Cove" of Island Park & Hummocks
City/Town:	Portsmouth
Plat/Lot:	/
Waterway:	"The Cove" Island Park Portsmouth

Plans of the proposed work may be seen at the CRMC office in Wakefield.

In accordance with the Administrative Procedures Act (Chapter 42-35 of the Rhode Island General Laws) you may request a hearing on this matter.

You are advised that if you have good reason to enter protests against the proposed work it is your privilege to do so. It is expected that objectors will review the application and plans thoroughly, visit site of proposed work if necessary, to familiarize themselves with the conditions and cite what law or laws, if any, would in their opinion be violated by the work proposed.

If you desire to protest, you must attend the scheduled hearing and give sworn testimony. A notice of the time and place of such hearing will be furnished you as soon as possible after receipt of your request for hearing. If you desire to request a hearing, to receive consideration, it should be in writing (**with your correct mailing address, e-mail address and valid contact number**) and be received at this office on or before July 20, 2016.



Oliver Stedman Government Center
 4808 Tower Hill Road, Suite 116
 Wakefield, RI 02879
 401-783-3370

RECEIVED
 PORTSMOUTH, R.I.
 2016 JUN 27 11:13
 JOANNE M. MOWER
 TOWN CLERK

PUBLIC NOTICE

File Number: 2016-06-047

Date: June 20, 2016

This office has under consideration the application of:

Chessawanock Island Oyster Co.
 c/o Kyle Hess
 400 Station Street
 Cranston, RI 02910

for a State of Rhode Island Assent to: expand an existing three acre aquaculture lease site in Hog Island Cove by two acres. The gear proposed includes floating bags and flip bags. A complete application may be sent electronically upon request to the CRMC Aquaculture Coordinator.

Project Location:	Hog Island Cove
City/Town:	Portsmouth
Plat/Lot:	/
Waterway:	Hog Island Cove

Plans of the proposed work may be seen at the CRMC office in Wakefield.

In accordance with the Administrative Procedures Act (Chapter 42-35 of the Rhode Island General Laws) you may request a hearing on this matter.

You are advised that if you have good reason to enter protests against the proposed work it is your privilege to do so. It is expected that objectors will review the application and plans thoroughly, visit site of proposed work if necessary, to familiarize themselves with the conditions and cite what law or laws, if any, would in their opinion be violated by the work proposed.

If you desire to protest, you must attend the scheduled hearing and give sworn testimony. A notice of the time and place of such hearing will be furnished you as soon as possible after receipt of your request for hearing. If you desire to request a hearing, to receive consideration, it should be in writing (**with your correct mailing address, e-mail address and valid contact number**) and be received at this office on or before July 20, 2016.

PORTSMOUTH TOWN COUNCIL MEETING
JUNE 20, 2016

MEMBERS PRESENT: Keith E. Hamilton, James A. Seveney, Kevin M. Aguiar,
Elizabeth A. Pedro and Joseph W. Robicheau

Members Absent: Michael A. Buddemeyer and David M. Gleason

PLEDGE OF ALLEGIANCE

A moment of silence for our men and women around the world in harm's way.

SITTING AS THE PORTSMOUTH TOWN COUNCIL

OLD BUSINESS

President Hamilton stated that Mr. Gleason has recused himself from this proceeding due to a possible conflict of interest.

1. PUBLIC HEARING: Discussion/Action – Request for Sound Variance of the Portsmouth Noise Ordinance by The Narragansett Electric Company, d/b/a National Grid, for the Aquidneck Island Reliability Project. / P. Lacouture & G. Watson, Robinson + Cole (The Full Report is Available for Viewing at the Town Clerk's Office)
 - a. Notice of Designation to the Town of Portsmouth Town Council to Render an Advisory Opinion by the Energy Facility Siting Board. / T. Bianco, Coordinator, Rhode Island Energy Facility Siting Board.

George Watson, Esq., Robinson + Cole, representing National Grid for its Aquidneck Island Reliability Project, introduced Endrit Fiku, the Project Manager for National Grid and the person in charge of the planning stages and execution.

Mr. Fiku stated that the infrastructure was 50-60 years old and obsolete. The 20 megawatts is too little for our future needs. The work will be done using their existing rights of way. They plan to retire the Jepson Lane substation in Portsmouth. The 92 wooden structures that are 65 feet to 69 feet tall are being replaced by steel structures 86 feet to 96 feet tall. This expects to bring \$932,000 in aggregate revenue for the Town between 2017 and 2022.

Mr. Fiku anticipates the work to be 40 hours per week, either four ten-hour days or five eight-hour days with extended hours required during certain stages, such as stringing wire, pouring cement or filling the transformers with oil. If a transmission line is crossing another transmission line or corridor, they will be forced to take a power outage.

In response to Mr. Hamilton, when filling transformers with oil, there would be just the bleeding of lines.

In response to Mr. Aguiar, it will depend on the location whether the H configuration will come down first. Also, the abutters will get two to three weeks notice prior to the work telling what will be happening and the start and stop dates. Notice will also be on a website.

In response to Mr. Hamilton, the curing limit for concrete is 20 to 30 days.

In response to Mr. Aguiar, they will not be utilizing any different access routes than normal easements allow.

In response to Police Chief Lee, noise over the 75 decibel limit would just be next to the machines. There would only be very rare occasions when noise would last until midnight and it will be finished as soon as possible.

In response to Ms. Pedro, the noise may be 85 decibels at the source, but doesn't know what it will be at the property line.

In response to Mr. Hamilton, Planner Crosby stated that he knew of no ledge in the area.

Judi Staven, 51 Long Meadow Road, addressed her concerns about no time limits for two and a half years. Also, there will need to be lights on at night which requires generators that will lead to noise. She also stated that even if the work doesn't begin until 7:30 am, the workers gather an hour earlier and they will make noise as well as the beeping of trucks backing up.

Ms. Staven also noted that work would be done in phases so the disruptions to the neighborhood would be ongoing with one crew digging holes, one crew putting in the rebar, and one crew pouring cement. That's at least two weeks per site.

Mr. Fiku stated the plan is to design the work in their 40 hour limits.

Mr. Watson introduced Dan McIntyre, a civil engineer for National Grid.

Mr. McIntyre stated that the concrete pours are done in one day.

In response to Mr. Seveney, Mr. McIntyre stated they would tell the contractors that the normal work day should be from 7 AM to either 3 PM or 5 PM with no trucks starting up until 7 AM.

In response to Mr. Hamilton, Mr. Watson stated that they were applying for the variance tonight as part of the process by the siting board for permitting. The variance is more of an advisory opinion.

Solicitor Gavin stated that the ordinance allows the Council to impose conditions for the advisory opinion required by the siting board. They make the final opinion.

Ms. Staven stated that she hopes the Council puts some parameters on this.

Mr. Fiku stated that the plan is not to be active for two years. This has to be done in phases. They must first clear away the vegetation that is in the way, fix and maintain the access roads, and then do the excavation.

In response to Mr. Hamilton, Mr. Fiku stated that the plan on how big a section will be done at once hasn't been worked out, it will depend upon the outage windows. The outage time frames are usually early spring and early fall.

In response to Peter Roberts, 80 Ormerod Road, the footer's size will be five to ten feet wide and 10 to 50 feet deep.

Mr. Roberts stated that a lot of slate rock is there and it will have to be dug with stone breaking material machine which makes a lot of noise. They could put all the foundations in first, set the poles and have the new substations in first.

In response to Mr. Hamilton, Mr. McIntyre stated that a Casson Drilling Machine would be used but not in times other than 7 am to 5 pm. There would be power outages for the drilling because it will be right under live lines.

When asked for a guarantee that there would be no noise after 9 pm, Mr. McIntyre stated that it is an understandable concern, but they have deadlines to meet.

In response to Mr. Seveney's request that the noise be from 7 am to 5 pm unless there is a compelling reason, Mr. Watson stated certain activities will exceed the permitted hours. The filling of a transformer takes 24 hours.

Mr. McIntyre stated that vegetation management and the building of the access road would be done during normal hours.

Mr. Hamilton addressed his concerns about drilling ledge.

Ms. Pedro addressed her concerns about the lights at night.

Tarney Waring, Crossings Court, stated that the source of noise creates other aggravations like smoke and odors.

Mr. Watson stated that any noise outside the 7 am to 9 pm will require notification to the fire chief and police chief and direct abutters.

Solicitor Gavin will prepare an Advisory Opinion requesting certain conditions based on the motions by the Town Council.

A motion by Mr. Seveney, seconded by Ms. Pedro, that a condition be that all the construction activities National Grid is executing happen between the hours of 7 AM and 9 PM. All voted in favor of the motion.

A motion by Mr. Seveney, seconded by Mr. Robicheau, “that any occurrence or requirement for construction to take place outside of those hours, National Grid needs to provide an extended community outreach to those effected in the work area so that you have, for instance if you’re working past nine o’clock for three days, or something, somebody knows as far in advance as you can program your work, so it’s not just the normal outreach stuff, it’s specific communication with those specific households that are going to be affected by that work outside of the 7 to 9 timeframe and town hall (Town Administrator’s office), police, fire, all that.” All voted in favor of the motion.

In response to Ms. Pedro, Mr. McIntyre stated that the crews are going to only work 10 hours a day and then will go home. If there is an outage coming up and they have to make up the time they may have to work extended days.

A motion by Ms. Pedro, seconded by Mr. Robicheau, that there will be no drilling after 9 PM. All voted in favor of the motion.

In response to Mr. Aguiar, Mr. McIntyre stated that line stringing needs to get done during the “outage windows of opportunity” so they may have to work multiple nights in a row past 9 PM.

Mr. Aguiar asked if they envision working multiple days and nights past 9 PM, setting poles because you are paying for a crane.

Mr. McIntyre stated that they will have to set up a pulling rig with a reel on it at one site for multiple days.

Mr. Fiku stated that the sections of wire are strung, and then they are connected so it won't be a continuous wire strung for miles.

In response to Ms. Pedro, Mr. McIntyre stated that the loudest activity is Casson drilling and vegetation management.

A motion by Ms. Pedro, seconded by Mr. Robicheau, to allow no vegetation cutting after 5 PM. All voted in favor of the motion.

In response to Mr. Seveney, Mr. Watson stated that with the exception of near the substations, the right of way is 100 feet wide. The easement is 100 feet, but there are portions that are fee-owned by National Grid alongside the easement.

A motion by Mr. Seveney, seconded by Ms. Pedro, to have 72 hours advance notice to abutters if they are going to go past 9 PM, if practicable. All voted in favor of the motion.

Mr. Watson noted that this is one of many proceedings, he is will also be coming before the Zoning Board and Planning Board and the same is true for Middletown.

A motion by Mr. Seveney, seconded by Ms. Pedro, to close the public hearing. All voted in favor of the motion.

A motion by Mr. Seveney, seconded by Mr. Robicheau, to adjourn. All voted in favor of the motion.

FUTURE MEETINGS

June 27 7:00 PM – Town Council Meeting

July 11 7:00 PM – Town Council Meeting

July 30 11:00 AM – Town Council Meeting – Prudence Island (Saturday)

ADJOURN

Time: 8:45 PM

Joanne M. Mower, Town Clerk

PORTSMOUTH TOWN COUNCIL MEETING
JUNE 27, 2016

MEMBERS PRESENT: Keith E. Hamilton, James A. Seveney, Kevin M. Aguiar,
David M. Gleason, Elizabeth A. Pedro and Joseph W. Robicheau

Members Absent: Michael A. Buddemeyer

PLEDGE OF ALLEGIANCE

A moment of silence for our men and women around the world in harm's way.

SITTING AS THE PORTSMOUTH TOWN COUNCIL

PRESENTATIONS/RECOGNITIONS

1. Proclamation of Appreciation – Margaret Brady

President Hamilton read and presented the proclamation honoring Margaret Brady for her service to the town and presented the proclamation and a town tile to her husband John Brady.

2. Presentation of the Portsmouth Award

President Hamilton read and presented to Grace Kinnunen the Portsmouth Award and town tile.

TOWN OF PORTSMOUTH, RHODE ISLAND

PORTSMOUTH AWARD

Grace Kinnunen

WHEREAS: The Portsmouth Award recognizes certain individuals, businesses and civic groups of the Town of Portsmouth that have consistently demonstrated excellence in professional and community leadership; and

WHEREAS: Grace Kinnunen has exhibited outstanding initiative, inspiration, leadership and organizational skills as Chairperson of the Glen Park Working Committee; and has dedicated many years of service and has given countless hours to Glen Park.

WHEREAS: Grace has personally been "hands on" at the Park, overseeing the buildings, grounds and events since the 1970's. For years, she has maintained the records of the Park without the aid of modern IT technology. To keep up with current practices, Grace took it upon herself to learn how to use a computer; and

WHEREAS: Grace has been a champion for Glen Park. Through the years, when funding was sparse, she recruited as many volunteers as possible to accomplish some of the chores needed to keep the Park clean and neat for the sole enjoyment of the citizens of Portsmouth; and

WHEREAS: Grace has advocated for improvements to Glen Park, and because of her efforts, we have a beautiful and clean kitchen facility, sports fields, a new riding ring, and new handicapped restrooms. She has gone before the Town Council many times to address Park issues and to secure the budget; and

WHEREAS: Grace personally reaches out to each applicant who registers to use the Glen Park facility as well as regularly attending events to get firsthand assessments. Everyone knows Grace and appreciates her dedication and contributions to the welfare of the community through her involvement and participation in the Glen Park Working Committee and the Melville Park Committee;

NOW THEREFOR BE IT RESOLVED: that the Town Council extends its sincere thanks and congratulations on behalf of the citizens of Portsmouth to

Grace Kinnunen.

Keith E. Hamilton, President
Portsmouth Town Council

CONSENT AGENDA

1. Rhode Island State Planning Council Notice of Public Hearings:

The State Planning Council has Under Consideration Adoption of a Draft Plan Entitled “Water Quality 2035”, an Element of the State Guide Plan. This Draft Water Quality Management Plan Focuses on the Need for Careful Management of the Water Resources of the State. The Plan will Update and Replace Existing State Guide Plans that had Protection and Restoration of Water Quality as Primary Purposes. These Hearings will be Held July 13, 2016 at 2:00 PM and 6:00 PM.

A motion by Mr. Seveney, seconded by Mr. Gleason, to receive and place on file. All voted in favor of the motion.

SITTING AS THE BOARD OF LICENSE COMMISSIONERS

1. PUBLIC HEARING: Transfer of a Class BV Beverage License:

Application to Transfer a Class BV Beverage License from Tiverton Management Corp., d/b/a Tremblay’s Ultimate Grill, 514 Park Avenue, Portsmouth, RI to Tremblay’s Bar and Grill Inc.

Eric Chappell, Esq., representing both parties, addressed the Council. He stated that Tiverton Management Corp. will hold the land and Tremblay’s Bar and Grill Inc. will hold the licenses for the bar. Mr. Benevides will remain to assist the new owners.

In response to Mr. Hamilton, Attorney Chappell stated that there is no mortgage or debt due and they will pay the bills at the closing.

A motion by Mr. Seveney, seconded by Mr. Robicheau, to close the public hearing. All voted in favor of the motion.

A motion by Mr. Seveney, seconded by Mr. Robicheau, to approve the transfer contingent upon the payment of past due bills. All voted in favor of the motion.

a. Class BV Beverage License Application:

Tremblay's Bar and Grill, Inc., 514 Park Avenue, Portsmouth, RI. Owners:
Michael MacFarlane, 16 Trenton Lakewood Road, Clarksburg, NJ, 08510 and
Dennis DeMarino, 15 Tall Oaks Court, Farmingdale, NJ, 07187

b. Objection to the Transfer of a Class BV Liquor License from Tiverton Management Corp., d/b/a Tremblay's Ultimate Grill, to Tremblay's Bar and Grill, Inc., Unless Indebtedness is Paid in Full to Horizon Beverage Co. and Rhode Island Distributing Co. / G. Mancini, Sinapi Law Associates, Ltd.

c. Objection to the Transfer of a Class BV Liquor License from Tiverton Management Corp., d/b/a Tremblay's Ultimate Grill, to Tremblay's Bar and Grill, Inc., Unless Indebtedness is Paid in Full to McLaughlin & Moran, Inc. / D. Silva

d. Objection to the Transfer of a Class BV Liquor License from Tiverton Management Corp., d/b/a Tremblay's Ultimate Grill, to Tremblay's Bar and Grill, Inc., Unless Indebtedness is Paid in Full to MS Walker Co. and Johnson Brothers of RI / P. Pisano, Esq.

A motion by Mr. Seveney, seconded by Mr. Robicheau, to approve the Class BV license contingent on payment of past due bills. All voted in favor of the motion.

2. Victualler License – New

a. Tremblay's Bar and Grill, Inc., 514 Park Avenue, Portsmouth, RI

A motion by Mr. Seveney, seconded by Mr. Robicheau, to approve contingent upon the payment of past due bills. All voted in favor of the motion.

3. Entertainment License:

a. NewportFilm, 174 Bellevue Avenue, Suite 314, Newport, RI for a Documentary Film Screening at the International Polo Grounds, August 25, 2016 from 6:00 PM to 10:00 PM

A motion by Mr. Gleason, seconded by Mr. Seveney, to approve. All voted in favor of the motion.

A motion by Ms. Pedro, seconded by Mr. Gleason, to adjourn as the Board of License Commissioners. All voted in favor of the motion.

ADJOURN

PRESIDENT'S EXECUTIVE SUMMARY

President Hamilton announced that the Town Administrator will give an update on the community meeting held with the Police Chief and neighbors of McCorrie Point Beach.

There were three items at the Executive Session of June 13th.

A request to lease some land. The Council voted 6-0 to deny.

A settlement offer on litigation. The Council voted 6-0 to deny.

An update on the Dog Park and possible funding. No votes were taken.

MINUTES

TCM 6/8/16

TCM 6/13/16 and Exec.

A motion by Mr. Robicheau, seconded by Ms. Pedro, to approve the minutes of TCM 6/8/16. All voted in favor of the motion.

A motion by Mr. Gleason, seconded by Mr. Seveney, to approve the minutes of TCM 6/13/16 and Exec. All voted in favor of the motion.

BILLS

A motion by Mr. Seveney, seconded by Mr. Gleason, to pay all just and due bills in the amount of \$242,181.28. All voted in favor of the motion.

TAX VOUCHERS

Request Approval for Tax Vouchers #20160627-01 to #20160627-02. / M. Helfand

A motion by Ms. Pedro, seconded by Mr. Robicheau, to approve. All voted in favor of the motion.

TOWN ADMINISTRATOR'S REPORT

1. Update on Building Inspector – Mr. Desormier will be leaving effective July 15th.
2. Update on Animal Control Officer – Ms. Fisher will be leaving September 30th.
3. Update on McCorrie Beach Community Meeting – Chief Lee, Chief Cranson and President Hamilton chaired the 1 ½ hour meeting last Thursday. The beach was acquired by the Town in 1995, but some have grandfathered, deeded beach rights.
4. Hog Island Recycling Update- Mr. Hess is running at a net loss. To save money he is taking recycling directly to the Bristol transfer station.
5. Budget Correction Update- The two corrected pages were sent to the Council and the corrected budget is on the website.
6. Annual Prudence Island Town Council Meeting- the meeting is scheduled for July 30th at 11 AM at the Union Church. Council is to meet at Carnegie Abbey marina for departure at 10 AM via the new police boat.
7. Historical Society Presentation – a Tri-State Anne Hutchinson tour is scheduled for this July with a portion being held in Portsmouth on the 22nd. In addition the Town's Declaration will be on display July 7th at the Town Hall with a speaker giving a talk on the Rhode Island signer William Ellery.
8. WED Donation to the Leonard Brown House Renovation Project – at a meeting 1 ½ weeks ago, it was agreed that the \$64,000 in credits from Wind Energy Development go toward the Brown House.

RESIGNATIONS AND APPOINTMENTS

1. Appointments:

- a. Portsmouth Veterans Honor Roll Committee

A motion by Mr. Seveney, seconded by Ms. Pedro, to appoint Walter Coelho and Carlton Johnson. All voted in favor of the motion.

- b. Economic Development Committee

A motion by Mr. Seveney, seconded by Ms. Pedro, to appoint Dylan Young. All voted in favor of the motion.

- c. Harbor Commission

A motion by Mr. Robicheau, seconded by Mr. Seveney, to appoint Bradford Coyle. All voted in favor of the motion.

d. Glen Manor House Authority (Re-Appt.) – A. Kelly

A motion by Mr. Seveney, seconded by Mr. Robicheau, to re-appoint Andrew Kelly. All voted in favor of the motion.

e. Wastewater Appeals Board

A motion by Ms. Pedro, seconded by Mr. Robicheau, to appoint Col. John Vickers. All voted in favor of the motion.

OLD BUSINESS

OB 1 - Discussion/Action – Wind Turbine. / S. Brusini, K. Hamilton & R. Rainer (10)

a. The Narragansett Electric Company Net Metering Provision

A motion by Mr. Seveney, seconded by Mr. Robicheau, to approve. All voted in favor of the motion.

b. Letter Agreement Regarding National Grid Net Metering Provision Schedule B

A motion by Mr. Seveney, seconded by Mr. Robicheau, to approve. All voted in favor of the motion.

c. WED Sublease Agreement

A motion by Mr. Seveney, seconded by Mr. Robicheau, to approve. All voted in favor of the motion.

NEW BUSINESS

NB1 - Request Approval to Renew Prudence Island Transfer Station Hauling Contract for the Year July 1, 2016 through June 30, 2017. / R. Rainer (5)

A motion by Mr. Seveney, seconded by Ms. Pedro, to approve. All voted in favor of the motion.

NB 2 - Request Approval to Renew the Transfer Station Management Contract for the Year July 1, 2016 through June 30, 2017. / R. Rainer (5)

A motion by Mr. Gleason, seconded by Mr. Seveney, to approve. All voted in favor of the motion.

NB 3 - Request Approval to Abate All 2004 Delinquent Taxes in the Amount of \$9,537.56. /
M. Helfand (5)

A motion by Mr. Seveney, seconded by Ms. Pedro, to approve. All voted in favor of the motion.

CORRESPONDENCE

1. Invitation for the Town Administrator and the Town Council to a Cook-out and a Newport Artillery Company Presentation at St. John's Lodge No. 1 A.F. & A.M. on July 11, 2016 at 6:00 PM. / W. Hedgorth, Jr., Worshipful Master, St. John's Lodge No. 1
2. Letter of Congratulations as Portsmouth is Named as One of 12 Rhode Island Communities Receiving 2015 Tree City USA Recognition from the Arbor Day Foundation. / James R Langevin, Member of Congress
3. Town of Richmond Resolution in Opposition to Tolling Gantries. / T. Nelson, Town Clerk

A motion by Mr. Robicheau, seconded by Mr. Seveney, to receive and place on file. All voted in favor of the motion.

FUTURE MEETINGS

- July 11 7:00 PM – Town Council Meeting - Public Hearing: Proposed Amendment to Chapter 257 of the Portsmouth Town Code – Noise Ordinance: §257-18 Sound Variances, Sec. C
- July 30 11:00 AM – Town Council Meeting - Prudence Island (Saturday)
- August 22 7:00 PM – Town Council Meeting

A motion by Mr. Robicheau, seconded by Mr. Seveney, to adjourn. All voted in favor of the motion.

ADJOURN

Time: 7:50 PM

Joanne M. Mower, Town Clerk

Vendor	Account Number	Date	Description	Amount	
Line Item 10002 TOWN ADMINISTRATOR					
CHAPPELL & CHAPPELL	1-01-312-10002-04	6/28/2016	LEGAL SERVICES	PROF SERVICES: MAY	\$1,375.00
W B MASON CO INC	1-01-401-10002-04 *	6/28/2016	OFFICE SUPPLIES & EQUIPMEN	TOWN ADMINISTRATOR: OFFICE SUPPLIES	\$15.28
				Sub Total:	\$1,390.28
Line Item 10003 TOWN CLERK					
ACS ENTERPRISE SOLUTIONS IN	1-01-333-10003-06	6/28/2016	LAND EVID/VITAL STATS	TOWN CLERK: LAND EVIDENCE	\$2,072.05
ACS ENTERPRISE SOLUTIONS IN	1-01-333-10003-06	6/28/2016	LAND EVID/VITAL STATS	TOWN CLERK: LAND EVIDENCE	\$34.13
				Sub Total:	\$2,106.18
Line Item 10004 CANVASSING					
JACQUELINE SCHULZ	1-01-317-10004-08	6/28/2016	TRAVEL	CANVASSING: TRAVEL	\$726.84
KENNEDY PERSONNEL SERVICES	1-01-129-10004-08 *	6/28/2016	TEMPORARY ASSISTANCE	CANVASSING: TEMP ASST	\$436.80
W B MASON CO INC	1-01-503-10004-08	6/28/2016	COPY MACH MAINT/SUPPLIES	CANVASSING: OFFICE SUPPLIES	\$451.47
W B MASON CO INC	1-01-401-10004-08 *	6/28/2016	OFFICE SUPPLIES & EQUIPMEN	CANVASSING: OFFICE SUPPLIES	\$11.99
W B MASON CO INC	1-01-401-10004-08 *	6/28/2016	OFFICE SUPPLIES & EQUIPMEN	CANVASSING: OFFICE SUPPLIES	\$136.90
				Sub Total:	\$1,764.00
Line Item 20001 FINANCE/PERSONNEL					
D & D FENCE CO., INC.	1-01-330-20001-20	6/28/2016	CLAIMS EXP-VANDALISM	CLAIMS - 36 CEDAR AVE FENCE	\$650.00
EAST BAY NEWSPAPERS	1-01-316-20001-20	6/28/2016	ADVERTISING	AD: BUILDING INSP 5/2-5/6	\$63.00
EAST BAY NEWSPAPERS	1-01-316-20001-20	6/28/2016	ADVERTISING	AD: EQUIPMENT OPERATOR 5/2-5/6	\$75.60
MARCUM LLP	1-01-314-20001-20 *	6/28/2016	AUDITING	FINANCE: AUDIT	\$2,596.00
RIGFOA	1-01-334-20001-20	6/28/2016	PROF DEV/TRAINING	FINANCE: 16-17 MEMBERSHIP RENEWAL	\$55.00
				Sub Total:	\$3,439.60
Line Item 20002 TAX ASSESSOR/COLLECTOR					
GENERAL TREASURY, RI	1-01-320-20002-22	6/28/2016	STATISTICAL/FULL REVALUATIO	TAX: RI VEHICLE VALUE COMMISSION	\$243.39
VISION GOVERNMENT SOLUTION	1-01-320-20002-22	6/28/2016	STATISTICAL/FULL REVALUATIO	TAX: 2016 REVALUATION	\$17,434.46
				Sub Total:	\$17,677.85

PRE-PAID

Vendor	Account Number	Date	Description	Amount
Line Item 31001 POLICE				
BRUCE J CELICO	1-01-501-31001-24	6/28/2016	EQUIPMENT	\$128.95
CENTRAL EQUIPMENT CO., INC.	1-01-501-31001-24	6/28/2016	EQUIPMENT	\$178.00
RAY'S AUTO CLINIC INC	1-01-346-31001-24	6/28/2016	VEHICLE MAINT/REPAIRS	\$145.00
RAY'S AUTO CLINIC INC	1-01-346-31001-24	6/28/2016	VEHICLE MAINT/REPAIRS	\$69.95
RAY'S AUTO CLINIC INC	1-01-346-31001-24	6/28/2016	VEHICLE MAINT/REPAIRS	\$100.00
RAY'S AUTO CLINIC INC	1-01-346-31001-24	6/28/2016	VEHICLE MAINT/REPAIRS	\$60.00
RAY'S AUTO CLINIC INC	1-01-346-31001-24	6/28/2016	VEHICLE MAINT/REPAIRS	\$60.00
				Sub Total:
				\$741.90
Line Item 31003 FIRE				
CHANNING BETE, INC	1-01-403-31003-28	6/28/2016	MEDICAL SUPPLIES/EQUIPMEN	\$553.28
CLINICAL ONE HOME MEDICAL	1-01-403-31003-28	6/28/2016	MEDICAL SUPPLIES/EQUIPMEN	\$350.00
DOMINA'S AGWAY	1-01-405-31003-28	6/28/2016	BUILDING MAINTENANCE	\$15.95
DOMINA'S AGWAY	1-01-405-31003-28	6/28/2016	BUILDING MAINTENANCE	\$36.85
FIREX, INC.	1-01-501-31003-28 *	6/28/2016	EQUIPMENT NEW & REPLACE	\$654.00
FORMS & GRAPHICS INC	1-01-401-31003-28 *	6/28/2016	OFFICE SUPPLIES/EQUIPT MAIN	\$145.00
PIONEER HEAVY DUTY PARTS IN	1-01-406-31003-28 *	6/28/2016	VEHICLE MAINT & REPAIRS	\$130.82
SHIPMAN'S FIRE EQUIP CO	1-01-501-31003-28 *	6/28/2016	EQUIPMENT NEW & REPLACE	\$35.00
SHIPMAN'S FIRE EQUIP CO	1-01-501-31003-28 *	6/28/2016	EQUIPMENT NEW & REPLACE	\$310.00
STATE INDUSTRIAL PRODUCTS	1-01-405-31003-28	6/28/2016	BUILDING MAINTENANCE	\$234.81
UNIFIRST CORPORATION	1-01-405-31003-28	6/28/2016	BUILDING MAINTENANCE	\$135.53
UNIFIRST CORPORATION	1-01-405-31003-28	6/28/2016	BUILDING MAINTENANCE	\$77.00
				Sub Total:
				\$2,678.24

PRE-PAID

Vendor	Account Number	Date	Description	Amount
Line Item 33001 PUBLIC WORKS				
GM REFRIGERATION CO. INC.	1-01-329-33001-32	6/28/2016	EQUIPMENT MAINT/REPAIRS DPW: EQUIPMENT MAINT	\$1,475.00
GRAINGER INC	1-01-329-33001-32	6/28/2016	EQUIPMENT MAINT/REPAIRS DPW: EQUIPMENT MAINT	\$81.96
GRAINGER INC	1-01-329-33001-32	6/28/2016	EQUIPMENT MAINT/REPAIRS DPW: EQUIPMENT MAINT	\$34.89
INDUSTRIAL CONTAINER SERVIC	1-01-434-33001-32 *	6/28/2016	TOWNWIDE BLDGS/GROUNDS DPW: TOWNWIDE	\$251.50
LANDSCAPING SERVICES INC.	1-01-550-33001-32	6/28/2016	GRASS CUTTING DPW: GRASS CUTTING	\$19,226.66
PARVO'S PAINT & WALLPAPER	1-01-434-33001-32 *	6/28/2016	TOWNWIDE BLDGS/GROUNDS DPW: TOWN HALL PAINT	\$246.36
PARVO'S PAINT & WALLPAPER	1-01-434-33001-32 *	6/28/2016	TOWNWIDE BLDGS/GROUNDS DPW: TOWN HALL PAINT	\$279.84
PORTSMOUTH ACE HARDWARE	1-01-434-33001-32 *	6/28/2016	TOWNWIDE BLDGS/GROUNDS DPW: TOWN HALL PAINT	\$17.37
PORTSMOUTH ACE HARDWARE	1-01-434-33001-32 *	6/28/2016	TOWNWIDE BLDGS/GROUNDS DPW: TOWN HALL PAINT	\$17.97
R.I. DEPARTMENT OF LABOR & TR	1-01-290-33001-32 *	6/28/2016	LICENSING/DUES/MEMBERSHIP DPW: RICHARD A CARVALHO	\$60.00
T.J. RUSSELL CO., INC.	1-01-428-33001-32 *	6/28/2016	TOOLS & SHOP EQUIP DPW: TOOLS & SHOP EQUIPMENT	\$94.00
T.J. RUSSELL CO., INC.	1-01-434-33001-32 *	6/28/2016	TOWNWIDE BLDGS/GROUNDS DPW: TOWN HALL SUPPLIES	\$205.10
TOM'S LAWN & GARDEN EQUIP	1-01-329-33001-32	6/28/2016	EQUIPMENT MAINT/REPAIRS DPW: EQUIPMENT MAINT	\$94.90
TRAFFIC SIGNS & SAFETY INC	1-01-418-33001-32 *	6/28/2016	STREET SIGNS DPW: STREET SIGNS	\$278.00
TRAFFIC SIGNS & SAFETY INC	1-01-418-33001-32 *	6/28/2016	STREET SIGNS DPW: STREET SIGNS	\$150.00
TRAFFIC SIGNS & SAFETY INC	1-01-418-33001-32 *	6/28/2016	STREET SIGNS DPW: STREET SIGNS	\$950.00
WASTE MANAGEMENT OF RI, INC	1-88-649-33001-32 *	6/28/2016	XFER STA-PI RECYCLING DPW: PI RECYCLING	\$1,845.45
Sub Total:				\$25,309.00
Line Item 54005 RECREATION DEPT				
CATHERINE C ALEXANDER	1-01-332-54005-00	6/28/2016	PROF. SERVICES REC DEPT: BABYSITTING SAFETY	\$130.00
Sub Total:				\$130.00
Line Item 61004 * No LINE ITEM Descriptor *				
UNION STUDIO ARCHITECTURE	1-99-689-61004-00 *	6/28/2016	15-16 TOWN CIP EXP CIP: BROWN HOUSE #15-3300	\$6,966.15
Sub Total:				\$6,966.15
Line Item 70000 NON-APPROP ACCOUNTS				
INTERSTATE ALL BATTERY CENT	1-52-861-70000-00 *	6/28/2016	FIRE ALARM MAINT EXP FIRE: FIRE ALARM MAINT	\$505.60
Sub Total:				\$505.60
Line Item 70500 * No LINE ITEM Descriptor *				
STAPLES CREDIT PLAN	1-53-861-70500-00 *	6/28/2016	FIRE PLAN REVIEW NON-PAYR FIRE: PLAN REVIEW	\$59.98
Sub Total:				\$59.98

PRE-PAID

PREPAY

Bill List Expenditures
Town of Portsmouth 2015-2016

6/28/2016 2:22:13 PM

Vendor	Account Number	Date	Description	Amount
Line Item 72902 TRF STATION PI SOLID WAST				
WASTE MANAGEMENT OF RI, INC	1-88-863-72902-00 *	6/28/2016	DPW: PI SOLID WASTE	\$1,990.89
				<u>\$1,990.89</u>
				Sub Total: \$1,990.89
 Line Item 77109 TOWN ADMIN FEES PAYABLE				
THE BANK OF NEW YORK MELLO	1-01-635-77109-44 *	6/28/2016	GO 2010 BOND: PAYING AGENT FEE	\$750.00
				<u>\$750.00</u>
				Sub Total: \$750.00
				Batch PREPAY \$65,509.67

PRE-PAID

PREPAY

Bill List Expenditures
Town of Portsmouth 2015-2016

6/28/2016 2:22:13 PM

Vendor	Account Number	Date	Description	Amount
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Grand Total: \$65,509.67

Reviewed



PRE-PAID

6-27-16

I, Mike Minose would
like to Resign from the
Dog Park Committee as of
6-27-16

Michael A Minose

6-27-16

RECEIVED
PORTSMOUTH, R.I.

2016 JUN 27 A 11:45

JOANNE H. MOWER
TOWN CLERK

TOWN OF PORTSMOUTH, RI
BOARDS/COMMISSIONS/COMMITTEES
APPLICATION FORM

RECEIVED
PORTSMOUTH, R.I.

2016 JUN 30 P 2:46

Date: 6/30/16 New Appointment: Re-Appointment:

JOANNE M. MOWER
TOWN CLERK

Board/Commission/Committee Being Applied For: Portsmouth Economic Development committee

(PLEASE PRINT) NAME: Justin B. Perry

FULL STREET ADDRESS: 135, Islington Ave. Portsmouth, RI

MAILING ADDRESS (if different): _____

TELEPHONE NUMBERS:
HOME: 401-297-6488 BUSINESS: _____ CELL: 401-297-6488

E-MAIL ADDRESS: Justin.Perry100@gmail.com

PRESENT EMPLOYER NAME AND ADDRESS:
RI DEM, 235 Promenade Street, Providence RI

LENGTH OF EMPLOYMENT: 2 months

IF LESS THAN TWO YEARS, PREVIOUS EMPLOYER (Name and address):
Dan's management (Dunkin Doughnuts), 294 Narrow Ln, Charlestown, RI

EDUCATIONAL BACKGROUND: Graduated Portsmouth High School
1 year of education at URI in Economics and Political Science.

WORK EXPERIENCE RELATED TO POSITION BEING APPLIED FOR:
Student of Economics and politics

RE-APPOINTMENT MUST INCLUDE DATA ON ATTENDANCE OF PREVIOUS TERM: _____

PROVIDE A BRIEF EXPLANATION OF YOUR INTEREST IN THIS POSITION: I have been a Portsmouth Resident for five years,
I want to start my political career here and give back.

SIGNATURE OF APPLICANT: J Perry

TOWN OF PORTSMOUTH, RI
BOARDS/COMMISSIONS/COMMITTEES
APPLICATION FORM

RECEIVED
PORTSMOUTH, R.I.

2016 JUL - 11 P 2:21

Date: 7/1/14 New Appointment: Re-Appointment:

JOANNE M. MOWER
TOWN CLERK

Board/Commission/Committee Being Applied For: Economic Development Committee

(PLEASE PRINT) NAME: James Coll

FULL STREET ADDRESS: 41 Sigourney Rd. Portsmouth

MAILING ADDRESS (if different): _____

TELEPHONE NUMBERS:

HOME: 401-846-9268 BUSINESS: _____ CELL: 401-924-2193

E-MAIL ADDRESS: colls27@gmail.com

PRESENT EMPLOYER NAME AND ADDRESS:

Gary Dorsi
LENGTH OF EMPLOYMENT: 1

IF LESS THAN TWO YEARS, PREVIOUS EMPLOYER (Name and address):

EDUCATIONAL BACKGROUND: Portsmouth Highschool, currently
at Boston University

WORK EXPERIENCE RELATED TO POSITION BEING APPLIED FOR:

RE-APPOINTMENT MUST INCLUDE DATA ON ATTENDANCE OF
PREVIOUS TERM: _____

PROVIDE A BRIEF EXPLANATION OF YOUR INTEREST IN THIS
POSITION: I'd like to give back to the community
and ~~not~~ start moving towards renewable energy

SIGNATURE OF APPLICANT: James Coll

Dog Park Update - Bunny Miller, Julie Sweeney

RECEIVED
PORTSMOUTH, R.I.

The RFP for the construction of the Dog Park was posted on May 20th. Nine contractors attended the mandatory bidder's meeting on June 13th. Six bids were received and opened on June 20th. All six exceeded our budget.

JUN 5 11:14

JOANNE H. MOWER
TOWN CLERK

The Dog Park Committee sat down with our design engineer and sought ways to modify the design without compromising the size and quality of the dog park.

The Town Administrator and Finance Director are going to work with the lowest qualified bidder in an attempt to bring projected costs in line with our budget. If unsuccessful, they will go to the next bidder or ask for re-bids, all while taking the committee's changes into consideration. The result of this will be a delay in the construction and opening of the dog park, most likely into the fall or winter.

The Committee continues to raise funds for benches, waste disposal and other park amenities. The next event is our participation in the Newport Polo's All Charity Day on Sunday, July 17th. Council member Liz Pedro has tickets and information available if you would like to attend a polo match and support the dog park at the same time.

Julie Sweeney, Animal Control Officer for the Newport Police Department, a long time Portsmouth resident, and member of the Dog Park Planning Committee since the beginning, will introduce the proposed rules for the dog park.

Proposed Portsmouth Dog Park Rules

- 1 Only dogs that are currently vaccinated for rabies and licensed in the town in which they reside are allowed to enter the park.
- 2 No dog under 6 months old, or that has received its first rabies shot within the past 30 days, may enter the park.
- 3 All dogs must be spayed/neutered and free from disease and internal parasites.
- 4 Owner will remove dog at the first sign of aggression.
- 5 Owner will keep dog(s) leashed when entering and exiting the park.
- 6 No more than 3 dogs may be brought into the park by one person at any time.
- 7 Dogs must be under owner's control at all times.
- 8 The use of pinch, choke or electronic collars within the park are prohibited.
- 9 No dog that has been declared legally vicious is allowed in the park.
- 10 No food is allowed in park.
- 11 Park is open from dawn to dusk and closed during maintenance.
- 12 Park is for recreational use only.
- 13 All dog bites must be reported to animal control/Portsmouth Police 683-6300.
- 14 Owners are required to clean up after and repair any damage caused by their dogs.
- 15 The use of alcohol and tobacco is prohibited.
- 16 No children under the age of 16 may enter the park without an adult.
- 17 No Attendant on duty. Users of this facility do so at their own risk. The Town of Portsmouth shall not be liable for any injury or damage that may occur at this park whether to animals, personal property, or person (s). The Portsmouth Police Department and Animal Control reserve the right to ban any owner or dog from the park for violating these rules.

TOWN OF PORTSMOUTH, RI

ORDINANCE AMENDMENT

Ordinance # 2016 –

Chapter 257. NOISE

Be it ORDAINED by the Town Council of the Town of Portsmouth, Rhode Island, that Section 257-18 of Chapter 257 of the Portsmouth Code of Ordinances is hereby amended as follows:

§ 257-18. Sound variances.

- A. Council shall have the authority, consistent with this section, to grant sound variances from this chapter after public hearing.
- B. Any person seeking a sound variance under this section shall file an application with Council. The application shall contain information which demonstrates that bringing the source of sound or activity for which the sound variance is sought into compliance with this chapter would constitute an unreasonable hardship on the applicant, on the community or on other persons.
- C. All applications shall be subject to a fee of \$50 per day if granted and, whether granted or denied, an amount sufficient to cover the cost of advertising and notification to all residents and property owners within 100 feet of the noise source. Advertisement shall be made at least once, seven days prior to the public hearing, in a newspaper of general circulation in the Town. Notification shall be by regular mail at least seven days prior to the public hearing.
- D. In determining whether to grant or deny an application, or revoke a variance previously granted, Council shall balance the hardship to the applicant, the community and other persons, if the sound variance is not allowed, against the adverse impact on the health, safety and welfare of persons affected, the adverse impact on property affected, and any other adverse impact, if the sound variance is allowed. Applicants for sound variances and persons contesting sound variances may be required to submit any information that Council may reasonably require. In granting or denying an application or in revoking a sound variance previously granted, Council shall place on public file a copy of the decision and the reasons for granting, denying or revoking the sound variance.
- E. Sound variances shall be granted by notice to the applicant containing all necessary conditions, including a time limit on the permitted activity. The sound variance shall not become effective until all conditions are agreed to by the applicant. Noncompliance with any condition of the sound variance shall terminate it and subject the person holding it to those provisions of this chapter regulating the source of sound or activity for which the sound variance was granted.
- F. Determination of modification of a granted variance shall be made in accordance with the rules and procedures set forth in the section for original applications.

**ADOPTED BY TOWN COUNCIL
ACTION ON _____**

Joanne Mower, Town Clerk

- (4) Review public and private projects, including those subject to mandatory review or approval by other departments, for compliance with this chapter, if these projects are likely to cause sound in violation of this chapter;
 - (5) Issue sound variances granted pursuant to § 257-18.
- D. Whenever a violation of this chapter occurs and two or more persons are present in or on the lot from which the sound emanates, and it is impossible to determine which of such persons is the violator, the owner of the lot, if present, shall be presumed responsible for the violation. In the absence of such owner, the tenant or tenants of such lot or any person present with the direct consent of the owner shall be held responsible for the violation.
 - E. In the case of continuing violations, the Town Solicitor may institute an action for injunctive relief against the owner and/or tenant of the lot.

§ 257-17 Department actions.

All departments and agencies of the Town shall carry out their programs in furtherance of the policies set forth in this chapter.

§ 257-18 Sound variances.

- A. Council shall have the authority, consistent with this section, to grant sound variances from this chapter after public hearing.
- B. Any person seeking a sound variance under this section shall file an application with Council. The application shall contain information which demonstrates that bringing the source of sound or activity for which the sound variance is sought into compliance with this chapter would constitute an unreasonable hardship on the applicant, on the community or on other persons.
- C. All applications shall be subject to a fee of \$50 per day if granted and, whether granted or denied, an amount sufficient to cover the cost of advertising and notification to all residents and property owners within 100 feet of the noise source. Advertisement shall be made at least once, seven days prior to the public hearing, in a newspaper of general circulation in the Town. Notification shall be by regular mail at least seven days prior to the public hearing.
- D. In determining whether to grant or deny an application, or revoke a variance previously granted, Council shall balance the hardship to the applicant, the community and other persons, if the sound variance is not allowed, against the adverse impact on the health, safety and welfare of persons affected, the adverse impact on property affected, and any other adverse impact, if the sound variance is allowed. Applicants for sound variances and persons contesting sound variances may be required to submit any information that Council may reasonably require. In granting or denying an application or in revoking a sound variance previously granted, Council shall place on public file a copy of the decision and the reasons for granting, denying or revoking the sound variance.
- E. Sound variances shall be granted by notice to the applicant containing all necessary conditions, including a time limit on the permitted activity. The sound variance shall not become effective until all conditions are agreed to by the applicant. Noncompliance with any condition of the sound variance shall terminate it and subject the person holding it to those provisions of this chapter regulating the source of sound or activity for which the sound variance was granted.
- F. Determination of modification of a granted variance shall be made in accordance with the rules and procedures set forth in the section for original applications.

§ 257-19 Violations and penalties.

- A. Violation of this chapter shall be punishable by a fine of not more than \$100 and/or imprisonment for not more than 30 days.
- B. Holders of alcoholic beverage licenses.
 - (1) In addition to any other penalty set forth herein, any holder of a Class A, B, B Ltd., C or D liquor license who shall be cited for violation of the provisions of this chapter twice within a period of six months shall, upon complaint by the Police Department to the Town Council sitting as a Board of License Commissioners, be summoned to appear

OBJECTION LETTER

TO: TOWN OF PORTSMOUTH

**RE: PROPOSED AMENDMENT TO CHAPTER 257 OF THE PORTSMOUTH TOWN CODE -NOISE
ORDINANCE**

FROM : Mr. and Mrs. Tarney Waring 30 Crossing Ct. Portsmouth RI 02871

07/05/2016

We object to eliminating fee of 50 a day for the following;

The cost of advertising is a figure associated with all variance applications to the town and should not be referred to as a fee (unless all variance application advertising costs are now called fees -not just this particular application).

First of all we don't believe the town shares in any gain of funds from the cost of advertising (to a third party newspaper -mail) whereas a fee, the monies we believe are allocated somewhere within the town to justify.

Understanding that noise as stated in noise Ordinance is a serious hazard to the public health and welfare and the quality of life. The Ordinance also states that each person has a right to an environment reasonably free from noise which jeopardizes health welfare or unnecessarily degrades the quality of life.

In addition to our concerns about fees, noise shouldn't be on a permanent basis as well. Please refer to Sec #257-18 of Noise Ordinance that states " Sound variances shall be granted by notice to the applicant containing all necessary conditions, including time limits on the permitted activity" implying not permanent .

We understand the council is fully aware of issues relating to this matter because this exact change was brought up at a previous town meeting in reference to a company .

Thank you



Tarney Waring

RECEIVED
PORTSMOUTH, R.I.
2016 JUL -5 11:37
JOANNE M. MOWER
TOWN CLERK

TOWN OF PORTSMOUTH, RI

RESOLUTION # 2016-07-11

BE IT RESOLVED by the Town Council of the Town of Portsmouth that the following two (2) questions shall appear on the ballot for the November 8, 2016 General Election:

**NEW POLICE STATION
BONDS AND/OR NOTES NOT TO EXCEED \$10,000,000
(Chapters ___ and ___ -- Public Laws 2016)**

“Shall an act, passed at the 2016 session of the general assembly, entitled ‘AN ACT AUTHORIZING THE TOWN OF PORTSMOUTH TO ISSUE GENERAL OBLIGATION BONDS AND/OR NOTES IN AN AMOUNT NOT TO EXCEED \$10,000,000 FOR THE DESIGN, CONSTRUCTION, EQUIPPING AND FURNISHING OF A NEW POLICE STATION IN THE TOWN’ be approved?

**AMENDMENT TO THE PORTSMOUTH HOME RULE CHARTER
TOWN CLERK
(Resolution of the Town Council adopted July 11, 2016)**

**“Shall the Town Clerk be an appointed position?” (Amends Art. V, Sec. 501)
IF APPROVED THIS AMENDMENT WILL TAKE EFFECT ON NOVEMBER 6, 2018.**

CURRENT CHARTER WORDING:

501. Town Clerk. There shall be a Town Clerk who shall be a qualified elector. He/She shall be elected at the biennial election pursuant to provisions of state law. His/Her duties and prerogatives shall be those defined by statute. (Adopted November 7, 1972; eff. Date July 1, 1975.)

PROPOSED AMENDED CHARTER WORDING:

501. Town Clerk. There shall be a Town Clerk who shall be appointed by the Town Administrator with approval by the Town Council. The Town Clerk shall serve as department head for the office of the Town Clerk. The duties and prerogatives of the Town Clerk shall be those defined by statute, together with such additional duties as may be assigned by the Town Administrator.

BE IT FURTHER RESOLVED that the Registrar of Voters and the Board of Canvassers be and are hereby instructed to forward a true copy of said ballot questions to the Secretary of State in accordance with State law.

Adopted: July 11, 2016

Keith E. Hamilton, President,
Portsmouth Town Council

ATTEST: _____
Joanne Mower, Town Clerk

**In re: The Narragansett Electric Company
d/b/a National Grid
(Aquidneck Island Reliability Project)**

ADVISORY OPINION
ON APPLICATION FOR SOUND VARIANCE

This matter was heard before the Portsmouth Town Council on June 20, 2016, on the application of The Narragansett Electric Company d/b/a National Grid (“National Grid” or the “Applicant”) for a sound variance pursuant to § 257-18 of the Portsmouth Noise Abatement Ordinance, Chapter 257 of the Town of Portsmouth Code of Ordinances (“Noise Ordinance”).

Applicant was represented by George W. Watson, III, Esquire of the firm Robinson & Cole LLP. Council members participating in the hearing were President Keith E. Hamilton, Vice President James A. Seveney, Kevin M. Aguiar, Elizabeth A. Pedro and Joseph W. Robicheau.

It was noted that the Rhode Island Energy Facility Siting Board (“EFSB”), pursuant to R.I. Gen. Laws § 42-9-8 of the Energy Facility Siting Act (R.I. Gen. Laws Chapter 42-98), has designated the Portsmouth Town Council as a local agency to render an advisory opinion as to whether National Grid should be granted a sound variance for construction-related noise that may be generated in connection with Narragansett’s application to the EFSB to construct the Aquidneck Island Reliability Project (“AIRP” or the “project”), EFSB Docket No. SB-2016-01. The project is considered a major energy facility and, therefore, it is subject to the jurisdiction and authority of the EFSB.

The Council heard the presentation of Mr. Watson and testimony of Endrit Fiku, National Grid’s lead Project Manager, and Daniel McIntyre, P.E., Civil/Structural Engineering for National Grid.

Mr. Fiku explained that the AIRP is a set of projects aimed at improving the reliability of the electrical system on Aquidneck Island. The current infrastructure is 50-60 years old and obsolete. The project will include the rebuild and upgrade of the existing 61 and 62 transmission lines (the “61 and 62 Lines”) from 69 kV to 115 kV, the construction of a new Jepson Substation to be located on the west side of Jepson Lane in Middletown, and the retirement and removal of the existing Jepson Substation located at 500 Jepson Lane, on the east side of Jepson Lane in Portsmouth. The 61 and 62 Lines will be rebuilt and upgraded along the existing right-of-way (“ROW”) beginning at the Dexter Substation located off Freeborn Street in Portsmouth and ending at the new Jepson Substation, a distance of approximately 4.5 miles. The Dexter Substation will be

modified to accommodate the upgraded lines and there will be temporary line relocations along the project during construction. There are 69 existing wood structures (44 2-pole structures and 25 3-pole structures), which will be replaced by 92 new steel single structures and 1 new double circuit single pole steel structure at the existing Jepson Substation. The existing wood structures are 45 to 65 feet tall. The new steel structures will be 86 to 96 feet tall. The project will improve the reliability of the transmission system on Aquidneck Island by increasing the loading capacity of the system, and allow National Grid to meet increase and growing demand for service. The project is expected to general additional aggregate tax revenue of \$532,000 to the Town of Portsmouth between 2017 and 2022.

It was noted that § 257-13 of the Noise Ordinance limits construction and demolition activities to between the hours of 7:00 a.m. and 9:00 p.m. each day. Mr. Fiku and Mr. McIntyre explained that National Grid anticipates the normal project work hours will be 40 hours per week, with either four 10-hour days or five 8-hour days. The normal work day will begin at 7:00 a.m. and end at either 3:00 or 5:00 p.m., depending on the contractor's preference. The entire project is expected to be completed with 30 months after construction begins. The work will be done in phases. Mr. Fiku and Mr. McIntyre explained that certain work tasks, such as pouring concrete, installing transformers, and stringing wire (and related activities) must be completed once started and will require extended work hours. The types of work, required equipment and materials, typical sound levels, and estimated durations of the work activities were outlined in the document entitled "Construction Practices and Equipment" for the project, which was submitted as part of the National Grid's application.

Mr. Fiku and Mr. McIntyre stated that the project will exceed the construction hour limitation only when necessary to complete discrete construction activities and not on a continuous basis. They answered several questions from the Council and from members of the public concerning the project and specific types of construction activities and the sequences, durations and sound levels generated from such work. Mr. McIntyre stated that the loudest construction activities during the project would be caisson drilling and vegetation management. Council members expressed concern over the vagueness of the request for extended work hours and the lack of specific details. Mr. Fiku and Mr. McIntyre explained that it is impossible to be more specific at this time, and it is not feasible to seek variances during the project while construction activities are in progress and ongoing. They explained the various community outreach efforts that National Grid has been engaged in, and how it will endeavor to inform and communicate with the public and abutting residents during the course of the project. Mr. Fiku stated that National Grid planned to work closely with abutters to provide advance notice of upcoming construction activities to be performed near their homes.

Upon closing the hearing, the Council then considered National Grid's application for a sound variance. The Council balanced the hardship to the Applicant and the community if the sound variance were to be denied for the project, against the potential

adverse impact on the health, safety and welfare of the affected abutters and properties if the variance were to be granted.

The Council voted unanimously to approve National Grid's application for a sound variance, subject to the following conditions:

1. All construction activity shall generally be performed between the hours of 7:00 a.m. and 9:00 p.m. in accordance with § 257-13 of the Noise Ordinance;
2. In the event that any construction activity needs to be extended to take place after 9:00 p.m. on any given day, National Grid shall give the Town Administrator, the Police Chief, the Fire Chief, and any affected abutters advance notice of at least 72 hours, if practicable;
3. There shall be no drilling of rock after 9:00 p.m.; and
4. There shall be no cutting of vegetation after 5:00 p.m.

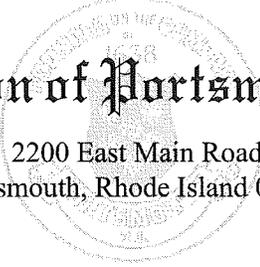
Accordingly, the Council hereby renders its advisory opinion, that National Grid's application for a sound variance be granted, subject to the conditions stated herein.

Portsmouth Town Council

By:

Dated:

Keith E. Hamilton, President



Town of Portsmouth

2200 East Main Road
Portsmouth, Rhode Island 02871

Finance/Personnel
Department

Tel. (401) 683-9118
Fax (401) 683-1916

July 1, 2016

Portsmouth Town Council

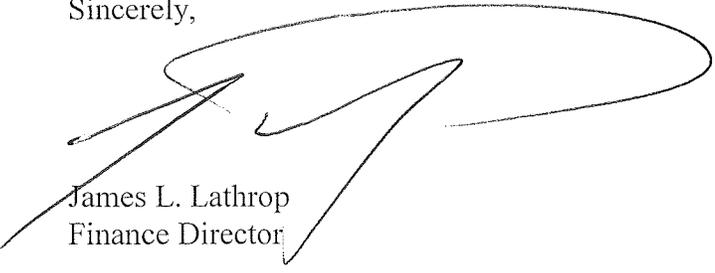
Request Authorization to Pay Bills in Accordance with the Regular Agenda Deadline

Honorable Council Members:

Since the Town Council has decided not to have a regular Council meeting on July 25, 2016 and August 8, 2016, I request authorization to pay all usual and customary departmental bills in accordance with the regular agenda deadline. Any questionable bills will remain unpaid and placed on the next regular Council meeting agenda for your payment approval.

My staff will prepare a separate bill listing of all bills paid during this time period (where a regular Council meeting is not held) and the listing will be included on the next regular Council meeting agenda for your formal approval.

Sincerely,



James L. Lathrop
Finance Director

Cover 1



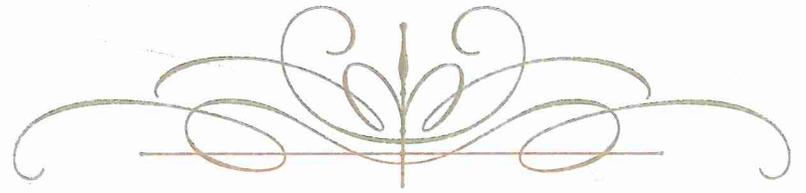
RECEIVED
PORTSMOUTH, R.I.
2016 JUN 29 A 11:11
JOSHUA M. ROYER
JOHN CLENIK

Dear Portsmouth Town Council,

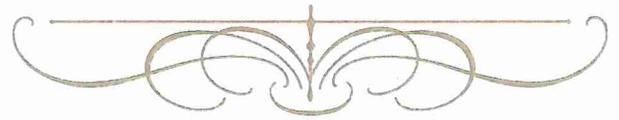
Bill & I and the entire Home Healthsmith team would like to extend our sincerest gratitude for recognizing and appreciating our work that we are doing in the community and beyond. We were very surprised and excited to have a day named after us in the town we reside in and own a Business

! Again thank you for the recognition.

Regards,
Linda & Bill Behmbach



* THANK YOU *



7-2-16

Our Town Council
members -

It meant more
than you know.

I can't express my
Thanks for your
remembrance at this
time. Dad loved his
gardens and the flowers
were beautiful!

Thank you
Lee-Ann